

M. Douglas Haywoode
71 Maple Street
Brooklyn, NY, 11255
Attorney for Plaintiff John L. Edmonds

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN L. EDMONDS, INDIVIDUALLY
AND AS A MANAGING GENERAL
PARTNER OF FIFTH AND 106TH
STREET HOUSING COMPANY, INC.,
LOGAN PLAZA ASSOCIATES, LP,
CHARLES H. ASSOCIATES a/k/a
CHARLES H. HILL ASSOCIATES, LP
AND AS A LIMITED PARTNER OF
CHURCH HOME ASSOCIATES, LP,

Index No.: 08 CIV 5646

Plaintiff,

-against-

**VERIFIED ANSWER TO
COUNTERCLAIM**

ROBERT W SEAVEY, INDIVIDUALLY
AND AS A GENERAL PARTNER OF
FIFTH AND 106TH STREET
ASSOCIATES, LP, LOGAN PLAZA
ASSOCIATES, LP, CHARLES HILL
ASSOCIATES, CHARLES HILL
ASSOCIATES, LP AND AS A LIMITED
PARTNER OF CHURCH HOME
ASSOCIATES, LP; PHYLLIS M.
SEAVEY INDIVIDUALLY AND AS
OWNER, MANAGER AND MEMBER
OF DALTON MANAGEMENT
COMPANY LLC; AVERY B. SEAVEY,
INDIVIDUALLY AND AS A GENERAL
PARTNER OF LOGAN PLAZA
ASSOCIATES, LP, CHURCH HOME
ASSOCIATES AND OWNER OF
DALTON MANAGEMENT COMPANY,
LLC; NEALE B. SEAVEY,
INDIVIDUALLY AND AS OWNER,
MANAGER AND MEMBER OF
DALTON MANAGEMENT COMPANY,
LLC; AND RONALD DAWLEY AS
CHIEF EXECUTIVE OFFICER OF
DALTON MANAGEMENT COMPANY,
LLC; DALTON MANAGEMENT
COMPANY, LLC, THE SEAVEY
ORGANIZATION, and MARK PANETH
& SHRON, Auditors,

Defendants.

Plaintiff, John L. Edmonds ("Plaintiff") by and through his attorney M. Douglas Haywoode, as and for his Verified Answer to the Counterclaims of the Defendants, Robert W. Seavey, Phylis M. Seavey, Avery B. Seavey, Ronald Dawley, Dalton Management Company, LLC, and the Seavey Organization (collectively, "Defendants") hereby states as follows:

1. Denies each and every allegation contained in paragraphs numbered 6, 7, 12, 13, 17, 21, 22, 23, 30, 31, 36, 37.
2. Denies knowledge and information sufficient to form a belief as to each and every allegations contained in the paragraphs numbered 1, 2, 18, 19, 20, 25, 29, 32, 33.
3. Denies each and every allegation contained in paragraph 8, except admits that certain interests were pledged and subsequently redeemed.
4. Denies each and every allegation contained in paragraph 9, that any such interest has been transferred, but, admits that such were pledged to secure a money loan, which has been repaid in the amount of approximately \$125,000.00 - \$325,000.00.
5. Denies in paragraph 10 the accuracy of these matters as they are alleged.
6. Denies knowledge and information sufficient to form a belief as to each and every allegation contained in paragraph 11, except, these were security instruments devised to secure a loan of \$325,000.00, which loan was repaid with full interest.

WHEREFORE Plaintiff, John L. Edmonds demands judgment in his favor:

- (a) Dismissing the Verified Answer and Counterclaims in its entirety;
- (b) Awarding such other and further relief as this Court deems just and proper.

Dated: Brooklyn, New York
March 25th, 2009

Yours, etc.,

/s/ M. Douglas Haywoode

M. DOUGLAS HAYWOODE, ESQ.
Attorney for Plaintiff
71 Maple Street
Brooklyn, NY 11225
(718) 940-8800

To: Wilson Elser Moskowitz Edelman & Dicker, LLP
3 Gannett Drive
White Plains, NY 10604-3407
Attn: William J. Kelly, Esq.
(914) 323-7000

Herrick, Feinstein LLP
2 Park Avenue
New York, NY 10016
Attn: Scott E. Mollen, Esq.
(212) 592-1505

VERIFICATION

M. Douglas Haywoode, an attorney at law duly admitted to practice in the State of New York and in the Federal Courts thereof, affirms the following under penalty of perjury:

I have read the foregoing Verified Answer to the Counterclaim and know it to be true to my knowledge, information, and belief. The grounds for my belief of those matters are based on information, including correspondence and documents furnished to me by the Plaintiff.

This verification is made by me rather than the Plaintiff because Plaintiff does not reside or maintain a place of business in the County in which I maintain an office.

/s/ M. Douglas Haywoode

M. Douglas Haywoode

NOTICE OF ENTRY

Sir: Please take notice that the within is a
(certified) true copy of an

duly entered in the office of the clerk of the
within named court on

Dated.

Yours, etc.,

M. DOUGLAS HAYWOODE

Attorney for Plaintiff

Office and Post Office Address

71 MAPLE STREET
BROOKLYN, NEW YORK 11225-5001

(718) 940-8800

Fax (718)-940-9574

To:

Attorneys

NOTICE OF SETTLEMENT

Sir: Please take notice of an

of which the within is a true copy will be
presented for settlement to the Hon.

one of the judges of the within named Court,
at on.

Dated,

Yours, etc.,

M. DOUGLAS HAYWOODE

Attorney for Plaintiff

Office and Post Office Address

71 MAPLE STREET
BROOKLYN, NEW YORK 11225-5001

(718) 940-8800

Fax (718)-940-9574

To:

Index No.: CIV 5646 Year: 2008

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COMPANY, INC., LOGAN PLAZA
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ASSOCIATES, LP AND AS A LIMITED
PARTNER OF CHURCH HOME
ASSOCIATES *et al.*

VERIFIED ANSWER TO
COUNTERCLAIM

M. DOUGLAS HAYWOODE

Attorney for Plaintiff

Office and Post Office Address, Telephone

71 MAPLE STREET
BROOKLYN, NEW YORK 11225-5001

(718) 940-8800

Fax (718)-940-9574

To: Herrick, Feinstein
LLP

Wilson Elser
Moskowitz Edelman
& Dicker, LLP

Service of a copy of the within

is hereby admitted.

Dated,

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Attorney(s) for Defendant